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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

**The Civic Government (Scotland) Act 1982  
(Licensing of Short-term Lets) Order 2022**

**Interpretation**

2.—(1) In this Order—

“1982 Act” means the Civic Government (Scotland) Act 1982,

“accommodation” includes the whole or any part of a premises,

“commercial consideration” includes—

(a) money,

(b) a benefit in kind (such as provision of a service, or reciprocal use of accommodation),

“excluded accommodation” means accommodation described in paragraph 1 of schedule 1,

“excluded tenancy” means a tenancy described in paragraph 2 of schedule 1,

“guest” means a person who occupies accommodation under a short-term let,

“host” means a person who is the owner, tenant, or person who otherwise exercises control over occupation and use, of the accommodation which is the subject of a short-term let,

“unique licence number” means a unique number which—

(a) is assigned to each application or licence, and

(b) contains a number or letters which—

(i) identifies the licensing authority, and

(ii) is used in every licence number assigned by the licensing authority.

(2) Where the accommodation is let to more than one person under a short-term let, references in this Order to the guest are to any one of those persons.

(3) For the purposes of Article 3, a person (“A”) is an immediate family member of another person (“B”) if A is—

(a) in a qualifying relationship with B,

(b) a qualifying relative of B,

(c) a qualifying relative of a person who is in a qualifying relationship with B, or

(d) in a qualifying relationship with a qualifying relative of B.

(4) For the purposes of paragraph (3)—

(a) two people are in a qualifying relationship with one another if they are—

(i) married to each other,

(ii) in a civil partnership with each other, or

(iii) living together as though they were married,

(b) a “qualifying relative” means a parent, grandparent, child, grandchild or sibling,

(c) two people are to be regarded as siblings if they have at least one parent in common,

- (d) a person's stepchild is to be regarded as the person's child,
  - (e) a person ("C") is to be regarded as the child of another person ("D"), if C is being or has been treated by D as D's child.
- (5) Schedule 1 has effect.